

REMARKS

This Amendment is in response to a final Office Action (Paper No. 20070509) mailed on May 15, 2007.

Claim 1 is amended. Claim 3 is canceled without disclaiming its subject matter. Claims 1, 2, 4-6, 14-24, and 26-41 are pending in this application. Reexamination and reconsideration are respectfully requested.

Status of Claims

Claims 16, 18-19, and 40 are rejected under 35 U.S.C. §102(e) as being anticipated by Reynolds *et al.* (US No. 5,784,549).

Claims 1, 2, 14, 38, and 41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Myers *et al.* (US No. 6,170,055) in view of McGill, III *et al.* (US No. 5,469,573).

Claims 22, 23, 26, 27, 30, 34, 35, and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds *et al.* in view of Jeon *et al.* (US No. 6,122,734).

Claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds *et al.* in view of Jeon *et al.* and further in view of Meyers *et al.*

Claims 3, 15, 17-21, 28, 29, 31-33, 36, and 39 are objected to as being dependent upon a rejected base claim.

Claims 4-6 are allowed. Applicant appreciates the Examiner's notice of allowance.

Regarding Claim 1

Claim 1 is amended to include the feature recited in the claim 3, which is objected as being dependent upon a rejected base claim. Therefore, the amended claim 1 is allowable. Reexamination of the amended claim 1 is respectfully requested.

Rejection of Claim 16 under 35 U.S.C. §102(e)

Claim 16 is rejected under 35 U.S.C. §102(e) as being anticipated by Reynolds *et al.* (US No. 5,784,549). Applicant traverses the Examiner's rejection for the following reasons.

In the Response to Argument (page 8 of the present final Office Action), the Examiner wrote that:

“The Examiner does not agree. Reynolds et al. disclose checking for a conflict inside the computer by the removable media inside the computer when the computer has said operating system fully loaded and the GUI is present (see figure 4).”

Applicant's submits that the Examiner's argument is a statement rather than a reasoning. The Examiner is respectfully requested to provide which step of Reynolds *et al.* '549 the Examiner interprets as the step of “checking for a conflict” of Applicant claim 16, referring to the steps shown in FIG. 4 or 5C.

Reynolds *et al.* '549 teaches that if the load sequence succeeds so that operating system 150 can run normally (Step DC), all is well (col. 7, lines 62-64), and that if not, however, the system

reboots using the fail-safe mode (Step DD) (col. 7, lines 64-65). These teachings of Reynolds *et al.* '549 clearly shows that the step of checking for a conflict is done before the operating system is loaded. According to the teaching of Reynolds *et al.* '549, if there is a problem, it is detected before the operating system is loaded. If there is no problem, the operating system can run normally and the steps ends (refer to the step directed to YES from the step DC shown in FIG. 5C). FIG. 4 of Reynolds *et al.* '549 also clearly shows that 1) steps of attempt to establish normal mode of operating system (step AI), 2) step of determining whether the attempt succeed (step AJ), and 3) run application from normal mode if the attempt succeed (step AL). If the attempt to run an operation system succeeds, there is no problem and the steps of Reynolds *et al.* '549 ends.

Running the operating system normally is the final goal of the steps of Reynolds *et al.* '549. If the operating system can run normally, it indicates that the system has no problem. Then, Applicant would like to ask why the step of checking is necessary again in Reynolds *et al.* '549 after loading the operating system, even though the system has no problem?

The teaching of Reynolds *et al.* '549 and the feature recited in Applicant's claim 16 are different. Withdrawal of the rejection is respectfully requested.

Rejection of Claim 27 under 35 U.S.C. §103(a)

Claim 27 is rejected under 35 U.S.C. §103(a) as being unpatentable over Reynolds *et al.* in view of Jeon *et al.* (US No. 6,122,734). Applicant traverses the Examiner's rejection with the same rationale as discussed regarding claim 16. Withdrawal of the rejection is respectfully requested.

Rejection of Claim 14 under 35 U.S.C. §103(a)

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Myers *et al.* (US No. 6,170,055) in view of McGill, III *et al.* (US No. 5,469,573). Applicant traverses the Examiner's rejection for the following reasons.

In the Response to Argument (page 9 of the present final Office Action), the Examiner wrote that:

“The Examiner does not agree. Meyer *et al.* teach backing up the data files stored in the auxiliary memory 118 (figure 2) and formatting the auxiliary memory (see col. 14, line 49 through col. 15, line 20). Furthermore, Meyer *et al.* disclose the step of backing up the data files stored in the non-removable storage media (see col. 4, lines 22-55).”

In the amendment filed on February 9, 2007, Applicant provided a specific phrase (col. 13, lines 15-17) regarding what step 118 of FIG. 2 of Meyers *et al.* '055 means. It appears that the Examiner ignores the teaching of Meyers *et al.* '055. The Examiner is respectfully requested to specifically explain why the step of prompting the user to ascertain, which is taught in Meyers *et al.* '055, is the same as the step of backing up data files, which is recited in Applicant claim 14.

Regarding the step of formatting, the Examiner referred to col. 14, line 49 through col. 15, line 20 to support the Examiner's reasoning. Even after thoroughly reading the paragraphs, Applicant, however, is not able to find where Meyers *et al.* '055 teaches the step of formatting the auxiliary memory as set forth in Applicant's claim 14. The Examiner is respectfully requested to clearly point out the exact phrase (an exact line number) that teaches the step of formatting.

Regarding the step of backing up, the Examiner referred to col. 4, lines 22-55. Once again, even after thoroughly reading the paragraphs, Applicant, however, is not able to find where Meyers *et al.* '055 teaches the step of backing up data files stored in the auxiliary memory as set forth in Applicant's claim 14. The Examiner is respectfully requested to clearly point out the exact phrase (an exact line number) that teaches the step of backing up.

In the recent decision from the Board of Patent Appeals and Interferences (Appeal 2007-0112, Reissue Application 09/892,790, Ex Parte Park *et al.*), it is stated that:

“We call the Examiner's attention to Ex parte Braeken, 54 USPQ2d 1110 (Bd. Pat. App. & Int. 1999), for a suggested format to be followed. With respect to claim 21 on appeal, the Examiner may use the following format:

21. A negative pressure air bearing slider (col. __, line __; Fig. __, element __) having a negative pressure cavity (col. __, line __; Fig. __, element __), comprising: a body with a principal surface (col. __, line __; Fig. __, element __) disposed to confront a recording surface (col. __, line __; Fig. __, element __) of a recording medium (col. __, line __; Fig. __, element __), said principal surface having a lead portion (col. __, line __; Fig. __, element __) and a rear portion (col. __, line __; Fig. __, element __), said lead portion being spaced upstream from said rear portion relative to a rotational direction (col. __, line __; Fig. __, element __) of any recording medium confronted by said slider, said lead portion having a front edge (col. __, line __; Fig. __, element __), said rear portion having a rear edge (col. __, line __; Fig. __, element __), said front edge and said rear edge together defining boundaries (col. __, line __; Fig. __, element __) of said principal surface in a longitudinal direction (col. __, line __; Fig. __, element __) of said slider body; and

a U-shaped air bearing platform (col. __, line __; Fig. __, element __) defining a negative pressure cavity (col. __, line __; Fig. __, element __) on said principal surface (col. __, line __; Fig. __, element __), said

U-shaped air bearing platform comprising not more than two separate air bearing platforms (col. __, line __; Fig. __, element __) each extending rearwardly (col. __, line __; Fig. __, element __) toward said rear portion of said principal surface and respectively terminating (col. __, line __; Fig. __, element __) at a first rear termination (col. __, line __; Fig. __, element __) and a second rear termination (col. __, line __; Fig. __, element __), at least one of said not more than two separate air bearing platforms including a side wall portion (col. __, line __; Fig. __, element __); at least one of said first rear termination and said second rear termination not coinciding (col. __, line __; Fig. __, element __) with said rear edge, and being disposed upstream (col. __, line __; Fig. __, element __) of said rear edge relative to said rotational direction (col. __, line __; Fig. __, element __) of said recording medium.

The Examiner may use a similar format for the other four claims on appeal.”


Applicant submits that the Examiner’s reasoning is ambiguous, and does not show any factual evidence that support the Examiner’s rejection. Therefore, there is no obviousness to combine the teachings of the cited references. Withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Reconsideration of the rejections and objections is requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this amendment.

Respectfully submitted,


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